

# AUTO CR - LOG SUMMARY #1049378

TYPE: CR

## Incident Finding / Overall Case Finding

Description of Incident	Finding	Entered By	Entered Date
	(None Entered)		

## Reporting Party Information

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
CPD Employee	Reporting Party Third Party	EVITT, JAMES C			001 /	SERGEANT OF POLICE	M	WHI		
CPD Employee	Reporting Party Third Party	VACLAVIK, JOSEPH			001 /	CAPTAIN OF POLICE	M	WHI		

## Incident Information

Incident From Date/Time	Address of Incident	Beat	Dist. Of Occurrence	Location Code	Location Description
17-OCT-2011 04:35 - 17-OCT-2011 04:35	██████████, CHICAGO, IL 60605	0132	001	206 - ATHLETIC CLUB	

## Accused Members

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Status	Initial / Intake Allegation
CPD Employee	Accused	MCCLAY, CHARLES	4735		006 /	POLICE OFFICER	OFF Duty	IT IS REPORTED THAT THE ACCUSED OFFICER FAILED TO SECURE HIS WEAPON IN A SECURE LOCATION.  RD#HT 547193

## Other Involved Parties

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
NON-CPD	Witness	██████████					M	WHI	██████████	
NON-CPD	Witness	██████████					M	BLK	██████████	

## Involved Party Associations

Role	Rep. Party Name	Related Person	Relationship
Reporting Party Third Party	VACLAVIK, JOSEPH	██████████	NO RELATIONSHIP
Reporting Party Third Party	EVITT, JAMES C	██████████	NO RELATIONSHIP
Reporting Party Third Party	VACLAVIK, JOSEPH	██████████	NO RELATIONSHIP
Reporting Party Third Party	EVITT, JAMES C	██████████	NO RELATIONSHIP
Reporting Party Third Party	EVITT, JAMES C	██████████	NO RELATIONSHIP
Reporting Party Third Party	VACLAVIK, JOSEPH	██████████	NO RELATIONSHIP

## Incident Details

CR Required?		Manner Incident Received?	PAX
Confidential?		Biased Language?	N
Extraordinary Occurrence?	N	Bias Based Profiling?	N
Police Shooting (U)?	N	Alcohol Related?	N
Non Disciplinary Intervention:	N	Pursuit Related?	N
Initial Assignment:	IAD	Violence in Workplace?	N
Notify IAD Immediately?	N	Domestic Violence?	N
EEO Complaint No.:			
Civil Suit No.:		Civil Suit Settled Date:	
Notify Chief Administrator?	N	Notify Chief?	
Notify Coordinator?		Notification Does Not Apply?	Y
Notification Other?	N		
Notification Comments:			

## Incident Category List

Incident Category	Primary?	Initial?
09N - IAD SUBCODE 09N	Y	Y
09N - IAD SUBCODE 09N	Y	N

## Investigator History

Investigator	Type	Assigned Team	Assigned Date	Scheduled End Date	Investigation End Date	No. of Days
HIGGS, MARK	Primary	GENERAL INVESTIGATION SECTION	20-OCT-2011	19-NOV-2011	07-NOV-2011	18
PIONKE, JOSEPH	Supervisor	GENERAL INVESTIGATION SECTION	20-OCT-2011	19-NOV-2011	07-NOV-2011	

## Extension History

Name	Previous Scheduled End Date	Extended Scheduled End Date	Date Certified Letter Sent	Reason Selected	Explanation	Extension Report Date	Approved By	Approved Date	Approval Comments
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## Current Allegations

Accused Name	Seq. No.	Allegation	Category	Subcategory	Finding
MCCLAY, CHARLES	1	It is alleged by the complainant Captain Joseph VACLAVIK, Star# 97, Unit 001; that on 17 October 2011 at 1625 hours, at [REDACTED] Chicago, IL, the accused P/O Charles MCCLAY, Star #4735, Employee [REDACTED] Unit 006, failed to properly secure a weapon belonging to him, to wit: a Sig-Sauer, blue steel, .9mm caliber pistol, Model P226, Serial # [REDACTED] by storing it in a locker at the above location, resulting in said weapon being stolen.	09N IAD SUBCODE 09N	LOST / STOLEN WEAPON	NOT SUSTAINED

## Situations (Allegation Details)

Accused Name	Alleg. No.	Situation	Victim/Offender Armed?	Weapon Types	Weapon Other	Weapon Recovered?	Deceased?
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## Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
CLOSED/FINAL	04-APR-2012 08:35	HIXSON, BRIGID	POLICE OFFICER	121 /	
PENDING IMPLEMENT ACTION	03-APR-2012 03:32	RIVERA, JUAN	CHIEF	121 /	
PENDING ASSISTANT DEPUTY SUPERINTENDENT REVIEW	28-FEB-2012 04:08	MAHONEY, DANIEL	PO LEGAL OFF 2	121 /	
PENDING ADVOCATE SECOND REVIEW	28-FEB-2012 12:23	HIXSON, BRIGID	POLICE OFFICER	121 /	
PENDING REVIEW AFTER COMMAND CHANNEL (I.A.D.)	27-FEB-2012 03:38	WYSINGER, ALFONZA	FIRST DEPUTY SUPT.	140 /	
PENDING COMMAND CHANNEL REVIEW	19-JAN-2012 02:28	WILLIAMS, EUGENE	CHIEF	142 /	
PENDING COMMAND CHANNEL REVIEW	04-JAN-2012 01:09	ALEXANDER, DANA	DEP CHIEF	142 / 212	
PENDING COMMAND CHANNEL REVIEW	20-DEC-2011 03:50	CARTER, ERIC	COMMANDER	006 /	
PENDING COMMAND CHANNEL REVIEW	20-DEC-2011 09:59	ROWAN, JAMES	SERGEANT OF POLICE	121 /	
PENDING ADVOCATE REVIEW	06-DEC-2011 10:57	HIXSON, BRIGID	POLICE OFFICER	121 /	
PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE)	08-NOV-2011 06:35	PIONKE, JOSEPH	SERGEANT OF POLICE	121 /	
PENDING LIEUTENANT REVIEW	08-NOV-2011 06:35	PIONKE, JOSEPH	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATIVE REVIEW	07-NOV-2011 01:46	HIGGS, MARK	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATION	20-OCT-2011 07:04	ASSAF, MAJED	SERGEANT OF POLICE	121 /	

## Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
PENDING ASSIGN INVESTIGATOR	18-OCT-2011 02:14	CLARK, SUSAN	LIEUTENANT OF POLICE	121 /	
PENDING APPROVE TEAM	18-OCT-2011 07:51	DEL RIVERO, MINERVA	POLICE OFFICER	121 /	 Type Changed from INFO to CR on 18-OCT-2011 07:51 by DEL RIVERO, MINERVA
PENDING ASSIGN TEAM	17-OCT-2011 09:49	DEAN, BRUCE	SUPERVISING INV COPA	113 /	
PENDING SUPERVISOR REVIEW	17-OCT-2011 09:38	STEWART, DENISE	INTAKE AIDE	113 /	
PRELIMINARY	17-OCT-2011 08:00	STEWART, DENISE	INTAKE AIDE	113 /	

## Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content	Approve Inclusion
1	FACE SHEET					STEWART, DENISE	17-OCT-2011 08:00			
1	INVESTIGATION					PIONKE, JOSEPH	20-OCT-2011 07:30			
2	CONFLICT CERTIFICATION					HIGGS, MARK	20-OCT-2011 08:29			
3	DOCUMENTS - INVESTIGATION	ACCUSED - MCCLAY, CHARLES	1	Sworn Affidavit (not required)	Y	HIGGS, MARK	20-OCT-2011 09:38	APPROVED		
4	DOCUMENTS - INTAKE INCIDENT	ACCUSED - MCCLAY, CHARLES	1	SGT. EVITT#2508	N	STEWART, DENISE	17-OCT-2011 09:37	APPROVED		
5	DOCUMENTS - INVESTIGATION	ACCUSED - MCCLAY, CHARLES	1	AMC Lost and Theft Message [REDACTED] theft of POs Gun and Star.	Y	HIGGS, MARK	20-OCT-2011 09:36	APPROVED		
6	DOCUMENTS - INVESTIGATION	ACCUSED - MCCLAY, CHARLES	3	[REDACTED] regarding theft of gun from a locker at 819 S State- XSPORT Fitness.	Y	HIGGS, MARK	20-OCT-2011 09:48	APPROVED		
7	DOCUMENTS - INVESTIGATION	ACCUSED - MCCLAY, CHARLES	1	Supplementary Report, RD# [REDACTED]	Y	HIGGS, MARK	27-OCT-2011 03:39	APPROVED		
8	DOCUMENTS - INVESTIGATION	ACCUSED - MCCLAY, CHARLES	2	Inventory [REDACTED] Of Accused PO Charles MCCLAY'S Prescribed Duty Weapon.	Y	HIGGS, MARK	03-NOV-2011 10:42	APPROVED		
9	DOCUMENTS - INVESTIGATION	ACCUSED - MCCLAY, CHARLES	1	CLEAR Firearm Registration Report of Accused PO Charles MCCLAY.	Y	HIGGS, MARK	01-NOV-2011 12:26	APPROVED		
10	DOCUMENTS - INVESTIGATION	ACCUSED - MCCLAY, CHARLES	1	LEADS NCIC Response Stolen Firearm	Y	HIGGS, MARK	21-OCT-2011 08:58	APPROVED		
11	DOCUMENTS - INVESTIGATION	ACCUSED - MCCLAY, CHARLES	1	FOIE [REDACTED] Status Cancelled	Y	HIGGS, MARK	21-OCT-2011 08:59	APPROVED		
12	DOCUMENTS - INVESTIGATION	ACCUSED - MCCLAY, CHARLES	2	XSPORT Fitness Incident Report.	Y	HIGGS, MARK	27-OCT-2011 02:12	APPROVED		
13	DOCUMENTS - INVESTIGATION	ACCUSED - MCCLAY, CHARLES	1	AMC Message - [REDACTED] Weapon Found.	Y	HIGGS, MARK	26-OCT-2011 10:47	APPROVED		
14	DOCUMENTS - INVESTIGATION	ACCUSED - MCCLAY, CHARLES	1	Witness Interview, Mr. Joe Scheppers.	Y	HIGGS, MARK	31-OCT-2011 11:32	APPROVED		
15	DOCUMENTS - INVESTIGATION	ACCUSED - MCCLAY, CHARLES	1	Witness Interview, Mr. Devin Williams.	Y	HIGGS, MARK	01-NOV-2011 08:27	APPROVED		
16	ACCUSED NOTIFICATION OF ALLEGATIONS	ACCUSED - MCCLAY, CHARLES				HIGGS, MARK	26-OCT-2011 01:22	ACCUSED ACKNOWLEDGED ALLEGATIONS		
17	DOCUMENTS - INVESTIGATION	ACCUSED - MCCLAY, CHARLES	1	Request for change of start time of accused officer for purposes of an interview.	N	HIGGS, MARK	31-OCT-2011 11:39	APPROVED		
18	DOCUMENTS - INVESTIGATION	ACCUSED - MCCLAY, CHARLES	3	Statement of Accused PO Charles MCCLAY Star# 4735.	Y	HIGGS, MARK	03-NOV-2011 08:18	APPROVED		
19	DOCUMENTS - INVESTIGATION	ACCUSED - MCCLAY, CHARLES	1	Report documenting request to XSPORT Fitness Corporate for copy of incident report.	Y	HIGGS, MARK	03-NOV-2011 10:01	APPROVED		
20	DOCUMENTS - INVESTIGATION	ACCUSED - MCCLAY, CHARLES	2	Department Order, Uniform and Property, U04-02 section XVI- A-1	Y	HIGGS, MARK	26-OCT-2011 02:47	APPROVED		
21	DOCUMENTS - INVESTIGATION		3	CLEAR Data Warehouse Report, Reported Thefts at 819 S. State, XSPORT Fitness From 1 March 2011 through 16 October 2011.	Y	HIGGS, MARK	03-NOV-2011 09:53	APPROVED		
22	DOCUMENTS - INVESTIGATION	ACCUSED - MCCLAY, CHARLES	1	Complimentary History of Accused PO Charles MCCLAY # 4735.	Y	HIGGS, MARK	07-NOV-2011 09:00	APPROVED		

## Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content	Approve Inclusion
23	DOCUMENTS - INVESTIGATION	ACCUSED - MCCLAY, CHARLES	2	Disciplinary History of Accused PO Charles MCCLAY # 4735.	Y	HIGGS, MARK	07-NOV-2011 09:01	APPROVED		
	DOCUMENTS - INVESTIGATION	ACCUSED - MCCLAY, CHARLES	1	Interview of Witness, Mr. Devin Williams.	Y	HIGGS, MARK	31-OCT-2011 11:33	DELETED		
	DOCUMENTS - INVESTIGATION	ACCUSED - MCCLAY, CHARLES	1	CLEAR Registered Firearms Report	Y	HIGGS, MARK	21-OCT-2011 08:54	DELETED		
	DOCUMENTS - INVESTIGATION		6	Closing Package	Y	HIGGS, MARK	07-NOV-2011 01:37	APPROVED		

## Review Incident

Review Type	Accused/Involved Member Name	Result Type	Reviewed By	Position	Unit	Review Date	Remarks
ASSISTANT DEPUTY SUPERINTENDENT REVIEW	MCCLAY, CHARLES	SUBMITTED	RIVERA, JUAN	CHIEF	121	03-APR-2012 03:32	
ASSISTANT ADVOCATE REVIEW	MCCLAY, CHARLES	SUBMITTED	HIXSON, BRIGID	POLICE OFFICER	121	28-FEB-2012 12:23	CCR concurred
ASSISTANT ADVOCATE REVIEW		SUBMITTED	HIXSON, BRIGID	POLICE OFFICER	121	06-DEC-2011 10:57	CCR
LIEUTENANT REVIEW		SUBMITTED	PIONKE, JOSEPH	SERGEANT OF POLICE	022	08-NOV-2011 06:35	
SERGEANT REVIEW		SUBMITTED	PIONKE, JOSEPH	SERGEANT OF POLICE	022	08-NOV-2011 06:35	

## Review Accused

Review Type	Accused/Involved Member Name	Result Type	Reviewed By	Position	Unit	Review Date	Remarks
ADVOCATE OFFICE CLOSING STEPS	MCCLAY, CHARLES	SUBMITTED	HIXSON, BRIGID	POLICE OFFICER	121	04-APR-2012 08:35	
ADVOCATE REVIEW	MCCLAY, CHARLES	SUBMITTED	MAHONEY, DANIEL	PO LEGAL OFF 2	121	28-FEB-2012 04:08	Failure to secure weapon, consider an increase.
COMMAND CHANNEL REVIEW	MCCLAY, CHARLES	SUBMITTED	WYSINGER, ALFONZA	FIRST DEPUTY SUPT.	140	27-FEB-2012 03:38	
COMMAND CHANNEL REVIEW	MCCLAY, CHARLES	SUBMITTED	WILLIAMS, EUGENE	LIEUTENANT OF POLICE	120	19-JAN-2012 02:28	
COMMAND CHANNEL REVIEW	MCCLAY, CHARLES	SUBMITTED	ALEXANDER, DANA	CHIEF	121	04-JAN-2012 01:09	
COMMAND CHANNEL REVIEW	MCCLAY, CHARLES	SUBMITTED	CARTER, ERIC	DEP CHIEF	141	20-DEC-2011 03:50	
ADVOCATE REVIEW	MCCLAY, CHARLES	SUBMITTED	ROWAN, JAMES	SERGEANT OF POLICE	121	20-DEC-2011 09:59	

## Accused Finding History

Accused	Allegation	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Finding	Finding Comments
MCCLAY, CHARLES	1. It is alleged by the complainant Captain Joseph VACLAVIK, St...	RIVERA, JUAN	03-APR-2012 03:32		N	NOT SUSTAINED	
MCCLAY, CHARLES	1. It is alleged by the complainant Captain Joseph VACLAVIK, St...	WYSINGER, ALFONZA	27-FEB-2012 03:38	Y	Y	SUSTAINED	
MCCLAY, CHARLES	1. It is alleged by the complainant Captain Joseph VACLAVIK, St...	WILLIAMS, EUGENE	19-JAN-2012 02:28	Y	Y	SUSTAINED	
MCCLAY, CHARLES	1. It is alleged by the complainant Captain Joseph VACLAVIK, St...	ALEXANDER, DANA	04-JAN-2012 01:09	Y	Y	SUSTAINED	
MCCLAY, CHARLES	1. It is alleged by the complainant Captain Joseph VACLAVIK, St...	CARTER, ERIC	20-DEC-2011 03:50	Y	Y	SUSTAINED	
MCCLAY, CHARLES	1. It is alleged by the complainant Captain Joseph VACLAVIK, St...	HIGGS, MARK	07-NOV-2011 01:46			SUSTAINED	

## Accused Penalty History

Accused	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Penalty	Penalty Comments
MCCLAY, CHARLES	RIVERA, JUAN	03-APR-2012 03:32		N		
MCCLAY, CHARLES	WYSINGER, ALFONZA	27-FEB-2012 03:38	Y	Y	SUSPENSION 1 Day(s)	
MCCLAY, CHARLES	WILLIAMS, EUGENE	19-JAN-2012 02:28	Y	Y	SUSPENSION 1 Day(s)	

## Accused Penalty History

Accused	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Penalty	Penalty Comments
MCCLAY, CHARLES	ALEXANDER, DANA	04-JAN-2012 01:09	Y	Y	SUSPENSION 1 Day(s)	
MCCLAY, CHARLES	CARTER, ERIC	20-DEC-2011 03:50	Y	Y	SUSPENSION 1 Day(s)	
MCCLAY, CHARLES	PIONKE, JOSEPH	08-NOV-2011 06:35			SUSPENSION 1 Day(s)	

## Findings

Accused Name	Allegations	Category	Concur?	Findings	Comments
MCCLAY, CHARLES	It is alleged by the complainant Captain Joseph VACLAVIK, Star# 97, Unit 001; that on 17 October 2011 at 1625 hours, at [REDACTED] the accused P/O Charles MCCLAY, Star #4735, [REDACTED] Unit 006, failed to properly secure a weapon belonging to him, to wit; a Sig-Sauer, blue steel, .9mm caliber pistol, Model P226, Serial [REDACTED] by storing it in a locker at the above location, resulting in said weapon being stolen.	09N IAD SUBCODE 09N	N	NOT SUSTAINED	